

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

CURTIS GIPSON
ADC #161642

PLAINTIFF

V. 5:16CV00211 JLH

MCCLUNG *et al*

DEFENDANTS

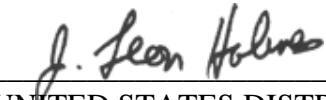
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Patricia S. Harris. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff Curtis Gipson's motion to voluntarily dismiss his complaint is GRANTED to the extent that his complaint is DISMISSED WITHOUT PREJUDICE. Document #37.
2. Defendants' motions for summary judgment are DENIED AS MOOT. Documents #27 and #33.
3. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 21st day of February, 2017.



UNITED STATES DISTRICT JUDGE